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*Counsel for Plaintiff Junhan Jeong*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

JUNHAN JEONG, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

NEXO CAPITAL INC.,

Defendant.

Case No.: 5:21-CV-02392-BLF

**DECLARATION OF KYLE ROCHE**

Date: February 23, 2022  
Time: 9:00 a.m.  
Courtroom: 3, 5th Floor  
Judge: Hon. Beth Labson Freeman

**DECLARATION OF KYLE ROCHE**

I, Kyle Roche, declare:

1. I am an attorney admitted in New York. I was previously counsel for Plaintiff admitted *pro hac vice* in this matter.

2. In January 2022, I traveled to London to meet with Christen Ager-Hanssen. I was introduced to Mr. Ager-Hanssen through someone at Ava Labs, a then-current client.

3. At the time, my understanding was that the purpose of the meetings was to discuss a potential multimillion-dollar investment from Mr. Ager-Hanssen in a litigation funding venture that I had co-founded. Mr. Ager-Hanssen paid for me and my now-fiancée to travel first-class to London. He also paid for our accommodations while there.

4. These meetings, including a dinner meeting, were recorded without my knowledge or consent. I learned this in August 2022, when a website called CryptoLeaks released the footage that the Defendant in this action cites. The video clips themselves are highly edited, spliced, cut, and otherwise taken into context. The result is, in my view, a highly misleading account of what was discussed and what transpired at those meetings.

5. Nevertheless, I acknowledge that, during the videos, I made statements that were highly inappropriate and that I deeply regret. My statements about jurors and class members, made while intoxicated at dinner, do not reflect my true views.

6. To be clear, I have never filed a class action at the direction of or for the benefit of any entity (client or otherwise) not named a party. Nor have I ever disclosed or used, for any collateral purpose, any confidential information obtained in connection with any lawsuit.

7. This action is no exception. Roche Freedman LLP filed this action on behalf of Plaintiff because we believe that it is meritorious, and because we believe that Plaintiff and the proposed class suffered substantial economic harm. Neither I nor anyone at the Firm has obtained any confidential discovery material in connection with this action, because there has been no discovery.

8. I am no longer representing Ava Labs in any matter, and as of October 17, 2022, I am

1 no longer a member of Roche Freedman LLP, which is now known as Freedman Normand  
2 Friedland LLP. I am now practicing law at Kyle Roche P.A., with offices located at 260 Madison  
3 Avenue, 8<sup>th</sup> Floor, New York, New York 10016.  
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5 I declare under penalty of perjury under the laws of the United States that the foregoing is  
6 true and correct to the best of my knowledge.  
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8 Dated: November 21, 2022

Respectfully Submitted,

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Kyle Roche  
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